UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/2001/5/Add.1
6 March 2000

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-seventh session
Item 14 (c) of the provisional agenda

SPECIFIC GROUPS AND INDIVIDUALS: MASS EXODUSES AND DISPLACED PERSONS

Report of the Representative of the Secretary-General, Mr. Francis Deng, submitted pursuant to Commission on Human Rights resolution 2000/53

Addendum

Profiles in displacement: Forced relocation in Burundi

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Introduction

1. The Representative of the Secretary-General on internally displaced persons, Mr. Francis M. Deng, undertook a mission to Burundi from 6 to 11 February 2000 to look into the situation of internal displacement in general and the government programme of *regroupement* in particular.[1] The approach of the Representative in undertaking country missions is to engage in solutions-oriented dialogue with the authorities as well as with the international agencies and non-governmental organizations (NGOs) concerned. The Representative was warmly received and was able to engage in a frank, cordial and constructive dialogue with the Government on internal displacement and the issue of *regroupement* in particular. The essence of dialogue is to listen and seek to understand each side's point of view in the search for a common ground. The Government explained to the Representative the security imperatives that had necessitated the adoption of such drastic measures as *regroupement*. The Representative, while understanding the Government's explanation, highlighted the importance of observing the relevant international humanitarian and human rights standards which govern the circumstances under which forced relocation might be justified and set out the responsibilities for providing adequate protection and assistance to the populations concerned.

2. The mission of the Representative was undertaken at the suggestion of the Executive Committee for Humanitarian Affairs (ECHA) and with the support of the Emergency Relief Coordinator and the Inter-Agency Standing Committee (IASC) membership. The purpose was to sustain international advocacy on the issue of *regroupement*, specifically by presenting to the Government the IASC Policy on Forced Relocation in Burundi of 3 February 2000 (annex I). Particular emphasis was to be given to the proposal that the Government engage in a constructive dialogue with the United Nations and humanitarian organizations regarding solutions for the "regrouped" population. In all of his meetings, the Representative drew attention to and disseminated the IASC Policy as well as the Guiding Principles on Internal Displacement (E/CN.4/1998/58/Add.2), which set out the circumstances under which forced relocation might be justifiable under international law.

3. While the issue of *regroupement* provided the main focus of the mission, in keeping with his broader mandate for internally displaced persons the Representative used the occasion of his visit to review other aspects of the problem of internal displacement in Burundi as a follow-up to his mission in 1994.

4. The Representative met with President Pierre Buyoya and a number of senior ministers of the Government: the Minister for Foreign Affairs, the Minister of the Interior, the Minister of Defence, the Minister for Reinsertion, Reinstallation and Repatriation and the Minister for Human Rights, as well as with other officials at the national, provincial and zone level. The mission met with the United Nations country team as a group as well as with most of its members individually. A number of meetings were held with the large number of international NGOs working with the internally displaced.

5. The mission programme included several visits to the field with a view to seeing different types of settlements of internally displaced persons. In Bujumbura Rural, visits were undertaken to the *regroupement* camp of Kabezi and to the *regroupement* site of Maramvya, which had been dismantled during the course of the mission, as well as to the area to which the occupants of the

latter site had returned. Also visited were settlements of persons internally displaced in 1993/94, specifically: Ruhororo and Mubanga in Ngozi province, and Kanyosha and Kiyange in Bujumbura Mairie.

6. The present report is submitted in accordance with the request of the Commission on Human Rights (resolution 2000/53) for the Representative to continue to report on his activities to the General Assembly and to the Commission. It is organized into six sections. Section I provides a brief overview of the situation of internal displacement in Burundi. Section II focuses on the recent displacement resulting from *regroupement*. Section III covers the situation of populations affected by earlier displacements. Section IV sets out elements of a framework for international response, in partnership with the Government, to the situation of internal displacement in the country as a whole. In section V, specific recommendations are made for enhancing national and international responses to the plight of the internally displaced.

I. OVERVIEW OF THE DISPLACEMENT SITUATION

7. In Burundi, displacement is such a long-standing phenomenon, stretching back more than four decades, that it has essentially become a way of life for many people. In 1994, when the Representative of the Secretary-General on internally displaced persons first visited the country, there were some 300,000 internally displaced persons in Burundi (and a further 500,000 Burundian refugees).[2] Since that time, the situation of internal displacement has deteriorated dramatically and now affects 808,000 persons, or 12 per cent of the population (there are also still over 500,000 Burundians displaced outside of the country as refugees). More than 85 per cent of the internally displaced are located in the four western provinces of Bujumbura Rural, Bubanza, Bururi and Makamba. It is from these areas that rebel forces have launched attacks against the capital in recent months.

8. The significant increase in the number of internally displaced persons is largely the result of measures of forced relocation - known in Burundi as *"regroupement"* - undertaken by the Government in response to the rebel attacks. Since September 1999, more than 380,000 persons have been forcibly relocated, mostly ethnic Hutus and primarily civilians.[3] The situation is particularly acute in Bujumbura Rural, where over 81 per cent of the population have been "regrouped", representing nearly half of the total internally displaced population in the country.

9. The humanitarian consequences of *regroupement* have been grave. The authorities have not provided adequate assistance and protection for the affected population. Though some international assistance is reaching the *regroupement* camps by means of NGOs, it is insufficient compared to the needs. There are also a number of camps that are inaccessible to the international community and thus have not received any international assistance at all.

II. *REGROUPEMENT*

A. The Government's perspective

10. Whether *regroupement* constitutes a policy of the Government is a debated issue. President Buyoya and government officials asserted that *regroupement* is not a policy of the Government but rather a programme of operational measures dictated by security considerations.

It was a commonly held view of the authorities that such measures were a necessary - if not the only - means of blunting rebel forces' intensified attacks against the capital and avoiding greater destabilization and human rights violations. Indeed, the view both within and outside the Government was that *regroupement* had ushered in a more secure environment in the capital. It was not uncommon for government officials and others to note that in this sense *regroupement* had been a "success". Some officials, while holding this view, also expressed concern that *regroupement* had emphasized security considerations over concerns for the humanitarian and human rights needs of the affected population.

11. President Buyoya emphasized several points for the international community on *regroupement*. First, he reiterated the official position that the Government of Burundi did not have a *regroupement* policy, that the measures taken were necessitated by security imperatives, and that their aim was to ensure the security of the civilian population, thereby averting what would have been greater violence and human rights violations. Second, he argued that the measures taken by the Government had had a positive effect in providing greater security for Burundians in Bujumbura Rural and in Bujumbura Mairie. Third, he explained that because of this positive effect, the Government was now implementing a process of dismantling the camps, allowing people to go back to their homes, incrementally, as the general security situation warranted. Fourth, the President noted that although both Rwanda and Uganda had also relocated some of their populations, neither had faced the international criticism to which Burundi had been subjected. This last point in particular was echoed by the Foreign Minister.

12. Given the position of the Government that forced relocation was a necessary and therefore justifiable security measure, for which there existed no real alternatives, the possibility of further *regroupement* in the future cannot be discounted. Indeed, there are reports of new *regroupement* in other provinces.

B. The United Nations perspective

13. The position of the IASC is that the forced relocation in Burundi cannot be justified as it is being implemented without regard for the rights and well-being of those affected and thus is contrary to the relevant principles of international humanitarian and human rights law. This position is elaborated in the IASC Policy on Forced Relocation as well as in its statement on forced relocation issued on 19 January 2000, which was endorsed by the Secretary-General in his statement to the special session of the Security Council on Burundi on the same day.

14. The international community, in various forums, has strongly called for the dismantling of the *regroupement* camps. It should be recalled that under international humanitarian law, in particular article 17 of Additional Protocol II to the Geneva Conventions (to which Burundi is a signatory), displacement, if justified by compelling circumstances of security of the civilian population involved or imperative military reasons, should be only a temporary measure. Indeed, all feasible alternatives should be explored to avoid forced displacement altogether. Reflecting international humanitarian law and human rights law, Principles 7 and 12 of the Guiding Principles on Internal Displacement stipulate that efforts should be made to avoid forced displacement and that if, in exceptional circumstances, internment or confinement of internally displaced persons is absolutely necessary, it shall not last longer than required by the circumstances.

C. Dismantling the camps

15. On 19 January, during his speech to the Security Council, the Foreign Minister of Burundi announced that the Government would start dismantling a number of *regroupement* camps in the next two weeks. When the mission began, three weeks had passed since this announcement and the dismantling process had yet to begin.

16. During his first meeting in Bujumbura on 6 February with the Director-General for International Organizations in the Ministry for Foreign Affairs, the Representative was informed that the dismantling of the *regroupement* camps would begin that very day with the Maramvya site in the commune of Mutimbuzi. The dismantling of the site was later confirmed by the Minister of Reinsertion, Reinstallation and Repatriation and the Minister of Human Rights as well as by media reports.

17. The Representative was informed that the Government had elaborated a plan identifying 11 sites to be closed immediately (by the end of February according to the Minister for Reinsertion) and an additional 13 in a second phase. While welcoming the news of the dismantling, the Representative raised concerns regarding the lack of transparency of the process: there had been no advance notification or planning of the dismantling with the United Nations agencies and NGOs, who had expressed a willingness to provide support to the population affected. The lack of involvement of the international community also impeded verification that the dismantling was occurring in accordance with international standards. The Representative was informed that a meeting with the international humanitarian community had in fact been scheduled in order to plan the dismantling process but that because of what was said to be communication problems, the meeting was never organized.

18. Throughout the visit, the Representative focused on raising with the Government the following points:

- Recognizing that internal displacement is by definition an internal matter which falls within State sovereignty, but that sovereignty carries with it responsibilities for the protection and assistance of its population which a Government is expected to discharge, with international cooperation, if necessary;

- Appreciating the security concerns of the Government, but emphasizing the need for inclusiveness of that concern on behalf of all citizens and in accordance with the principles of international humanitarian law, human rights law, and the Guiding Principles on Internal Displacement;

- Welcoming the decision of the Government to dismantle 11 of the camps, followed by a further 13, and highlighting the importance of providing adequate protection and assistance to those still remaining in the camps;

- Taking note of the stated intention to eventually close all camps as security permits, raising the need to determine the confidence-building measures that could be taken by all sides to ensure that this process occurs.

- Conveying the willingness of the international community to provide support to those returning to their homes

- Expressing concern that the process of dismantling had been initiated in a manner that lacked transparency and planning in cooperation with the international humanitarian community, which the Government had requested to provide assistance in its letter of 4 February from its Permanent Mission to the Secretary-General but which had not been made party to the arrangements

- Calling for a coordination meeting and an established planning mechanism to provide the support requested by the Government of Burundi

- Urging the setting of a schedule for the dismantling of the 24 camps which the Government had communicated would be closed

- Stressing the need to enable people to return during the planting season (i.e. by the end of February or 10 March at the latest) and the need for internally displaced persons still in the *regroupement* camps to have full access to their fields at least four times a week during the planting season

- Urging that priority for dismantling be given to the *regroupement* sites that are inaccessible and that have been therefore deprived of any assistance

- Emphasizing the importance of enhancing the role and profile of the civilian authorities with respect to *regroupement* in a more balanced partnership with the security authorities and the military, which now dominate the process

- Highlighting the importance of the dismantling process as a confidence-building measure in the Arusha Peace Process

19. As a result of the Representative's persistent appeal on these issues, and especially his request that a meeting between the Government and the United Nations country team take place before the end of the mission, a coordination meeting to establish the modalities to plan jointly for the dismantling of the camps was organized by the Minister of the Interior, with the participation of the Ministry of Reinstallation, the provincial authorities, the United Nations agencies and the NGOs. In the course of the meeting, the Government communicated the names of the first 11 sites to be dismantled during the first phase of the operation (a map indicating these sites is attached as annex II) and informed the meeting that it was reviewing an additional 13 to be dismantled. The Government also agreed to enhance existing coordination mechanisms to address two issues: (a) the broader situation of internal displacement in Burundi and the assistance required, and (b) the specific situation of the relocated population in Bujumbura Rural and the need to develop an operational plan to address it. At the Representative's request, the Minister also instructed his staff to share with the United Nations and the NGOs all planning documents relating to the dismantling of the first 11 sites. Another meeting between the Government and the country team was to be held at the time of the Representative's departure from Burundi.

20. The first site to be dismantled, Maramvya (4,700 persons), was visited by the Representative five days after its dismantling had taken place. This marked the first visit of the United Nations to the dismantled site and the area to which the site population had returned. The site was completely abandoned but for one man, with whom the Representative spoke, who had returned to finish dismantling the shelter he had constructed at the site. In the nearby area of return, the Representative met with a large group of returnees who voiced their need for assistance to help them re-establish themselves. As they had returned to find their homes looted and damaged, reconstruction material was a priority need. Although many had immediately begun planting, they needed additional seeds. Moreover, they would continue to require food assistance until the harvest.

D. Remaining camps

21. The point was repeatedly made by government officials that the *regroupement* camps would be dismantled "progressively" as the security situation permitted. It is clear therefore that the process of dismantling will be gradual, and that the majority of the camps will continue to exist and be in need of international assistance for some time. As noted at the outset, the level of assistance currently reaching the camps is inadequate compared with the considerable needs.

22. Not included in the list of the first 11 sites to be dismantled is the camp of Kabezi, which the mission visited. The camp was severely overcrowded (Kabezi, with a population of 30,000-40,000, is one of the largest *regroupement* camps) and there are inadequate water and sanitation services. As a result, serious health problems, including cholera, diarrhoea and malaria were reported even though the camp appeared relatively clean at the time of the visit. There were visible signs of malnutrition which, according to recent nutritional surveys, is reported to be generally on the rise in the *regroupement* camps. The displaced interviewed specified their need for shelter, blankets, clothes, food, cooking utensils and soap.

23. In his brief address to the population of the Kabezi camp, the Representative explained that the mission was evidence of the fact that the international community cared about their condition. Noting that their Government had declared a policy of dismantling the camps, the Representative indicated that the international community was prepared to assist them in their return home. The applause of appreciation with which this message was received was spontaneous and striking. At the airport, as the mission was about to depart, the Representative requested the Director-General of the Ministry of Reinsertion, Reinstallation and Repatriation, together with the United Nations Humanitarian Coordinator, to try to persuade the authorities to include the Kabezi camp on the first list of camps to be dismantled.

24. In Kabezi camp and generally, access to their fields by the population relocated at the sites was reported to be a priority concern, especially during the February/March planting season. Failure to ensure greater access for the displaced to their fields will inevitably have implications for the demands for food assistance on the international community in the coming months. In most cases, the relocated populations did have access to their fields, but this was held to be insufficient (FAO indicated that four full days a week is the minimum required). In Kabezi, displaced persons indicated (albeit in the presence of a considerable number of civilian and military authorities) that they had permission to go to their fields under military escort. However, a number of the displaced indicated that they had not been able to work their fields for

two weeks because of the security situation Even when access is permitted, the number of hours in the fields may be limited owing to time restrictions imposed by the authorities (for example, in Maramvya, the displaced had been required to return to the camp by 14 00) or owing to the distance of the fields from the *regroupement* sites

25 Education is another area of concern (which is also valid for the other, "non-regrouped" internally displaced) Although there are school facilities available, many displaced children are unable to attend as the family cannot afford the standard fee of 1,000-1,500 Burundi francs per semester or the necessary school supplies Though there apparently exists a government policy to waive school fees for internally displaced children, it is not being implemented systematically

26 As regards security, despite ostensibly having been created for the purposes of protection, *regroupement* sites are reported to have been subject to rebel attacks against which the armed forces have not been able to provide adequate protection Moreover, within the camps, the relocated population is reported to suffer serious threats to physical security, including harassment, sexual violence and extrajudicial killings, allegations which, given the heavy political and military presence accompanying the Representative, could not be adequately investigated by the mission

27 A major obstacle that the international community faces in addressing the protection and assistance needs in the *regroupement* camps is that a number of sites remain inaccessible due to insecurity, the remote locations or the condition of roads As a result, some of these camps have not received any assistance since they were established, beginning in September 1999 The assistance and protection needs in these camps are unknown, but given the absence of international presence in particular, they are expected to be severe

III. OTHER INTERNALLY DISPLACED PERSONS

28 Apart from the 300,000 internally displaced in *regroupement* camps, since 1993/94 over 400,000 Burundians have been displaced due to the cycles of violence At the time of the Representative's 1994 mission, there were two main categories of internally displaced persons the "displaced", mostly Tutsi, who had settled in camps under the protection of government forces, and the "dispersed", mostly Hutu, who had fled into the countryside in hiding This latter group experienced greater vulnerability as a result of being in hiding and the consequent difficulties exeprienced by humanitarian agencies in reaching them The Representative also found significant disparities between the international humanitarian assistance to Rwandan refugees (mostly Hutu) in the north of the country and to adjacent camps of the internally displaced (Tutsi) - a situation which risked exacerbating inter-ethnic conflict At the recommendation of the Representative, efforts were taken subsequently by the international community to reduce these disparities Even so, the disparities of treatment in 1994 continue to be foremost in the minds of government officials and a common theme raised by them was that the international community was neglecting the "internally displaced" (i e predominantly Tutsi) in its current emphasis on the "regrouped" (i e overwhelmingly Hutu) However, as the field visits made clear, although the internally displaced persons from 1993/94 stand to benefit from continued reintegration support in order to enhance their self-sufficiency, the priority for the international humanitarian community must be the "regrouped" populations whose most basic humanitarian needs are not being adequately met

29. During the course of his mission, the Representative visited a number of "displacement" sites in Bujumbura Mairie and Ngozi province. In the framework of a resettlement programme, these camps have been transformed into village-like settlements of a permanent or semi-permanent character, usually guarded by a military presence. The resettlement was undertaken by the provincial authorities, in some cases with the support of the international community, in recognition of the fact that even if security conditions improve, many "displaced" will not return to their places of origin as they remain fearful of former neighbours, who may have been the authors of atrocities against the returnees' ethnic group.

30. While the settlements visited by the Representative were mostly said to be ethnically mixed, it was reported that displacement camps were generally ethnically segregated and that among the earlier displaced persons, there continued to exist significant disparities in the treatment of predominantly Tutsi and Hutu settlements. Hutus living in camps were reported to be in more precarious conditions, having received little attention from the local authorities and in some cases being situated at inaccessible locations. Moreover, while a large number of displaced Tutsi have been resettled, there have been less effort to resettle the displaced Hutu, as it is believed that this latter population is more likely to return to their places of origin, once security is restored.

31. It must also be noted that displacement due to reasons other than *regroupement* is ongoing. In addition to what is considered the "old" caseload, there continue to be cyclical waves of temporary displacement due to the escalation of violence. There is little information available on such displacement, as most of the affected areas are inaccessible due to security and logistical constraints. These internally displaced persons therefore tend to receive little to no attention.

32. In the course of the mission, the lack of detailed information on internal displacement in Burundi, beyond global figures and location, was highlighted. Accurate numbers are difficult to obtain because of the overlapping of categories, the volatile nature of displacement in Burundi and the problem of access. There remains a need to review in a comprehensive manner - in qualitative as well as quantitative terms - the situation of internally displaced persons throughout the country in order to identify their needs and assess the gaps in the current international response.

33. The recommended review should form the basis for the humanitarian and longer-term response to the needs of all displaced populations and focus on objective indicators of vulnerability and capacity for sustainable return or resettlement and reintegration. The response also needs to be comprehensive and should take into account the needs of the host community. Moreover, special attention should be paid to the particular needs of women heads-of-household, orphans, the elderly, and other vulnerable groups of internally displaced persons.

IV. FRAMEWORK FOR INTERNATIONAL RESPONSE

A. IASC conditions for engagement

34. The serious humanitarian assistance and protection needs in the *regroupement* camps as well as the process of dismantling the camps that has begun to get under way clearly warrant the

urgent involvement of the international community. Since mid-October when security Phase IV was introduced by the United Nations following the incident at Rutana which resulted in the killing of two expatriate staff and a number of nationals, the United Nations has scaled back its activities in the country significantly, particularly in the field. As a result, the enormous challenge of addressing the assistance and protection needs of the forcibly relocated populations has fallen on the non-governmental community. Notwithstanding the active efforts of the NGOs and their commitment to continue such involvement, they indicated that they are unable to address the magnitude of needs and are clearly frustrated that the United Nations agencies are not more directly involved. This sentiment was strongly echoed by the donor and diplomatic community, not to mention government officials.

35. In meetings with the Representative, United Nations agencies expressed a readiness to mobilize resources in order to provide humanitarian aid to populations affected by forced relocation, whether they are in camps or in the process of return and reintegration. Specific indications of the stocks available or which would be sought were given.

36. The IASC Policy stipulates that efforts in this regard are to be contingent upon a firm commitment from the Government to work towards an end to forced relocation. As noted above, the various government officials met indicated that the *regroupement* camps would eventually all be closed, once the conditions of insecurity that had led to their establishment no longer existed. The progress achieved during the mission of initiating dialogue between the Government and the international community for the purpose of defining the timetable for dismantling the camps reflects a degree of commitment on the part of the Government to end forced relocation, albeit incrementally and on its own terms. The constructive engagement of the authorities in this dialogue in the coming weeks and months will be critical in obtaining a firmer indication of the Government's commitment in this regard.

37. The country team continues to support the conditions for engagement stipulated in the IASC Policy. Briefly restated, these are:

(a) To provide only "life-sustaining" assistance (food, essential health services, water and sanitation) to the relocation sites, with the exception of seeds, tools, fertilizers and educational supplies;

(b) To provide assistance in support of the voluntary return (or in exceptional cases, resettlement) and reintegration of affected populations, provided this is part of a planned process;

(c) Not to provide assistance for the creation of permanent structures at the sites, except where required for water and sanitation;

(d) To ensure access of the internally displaced to, and assistance for, existing local services;

(e) Not to provide assistance for the creation or administration of camps;

(f) To provide assistance on the basis of an independent assessment of needs, independent monitoring of distribution and unhindered humanitarian access to the sites;

(g) To provide assistance on case-by-case basis and, in each phase, according to a fresh assessment of needs;

(h) To require full and free access of human rights observers to the sites and the establishment within the Government of a forum to review their reports and take action.

B. Protection

38. Though some assistance is reaching the internally displaced, serious protection needs persist which have gone largely unaddressed. As a matter of priority, protection activities should be undertaken for the population remaining in the *regroupement* sites, where there are reports of widespread sexual abuse as well as harassment and extrajudicial killings. Moreover, attention must be paid so as to ensure that the dismantling of the camps is conducted in accordance with international standards and that conditions of safety exist in the areas of return. The importance of human rights monitoring in the camps, during the dismantling process and to assess conditions in areas of return was strongly underscored by the international and humanitarian community.

39. Protection activities, especially with a view to prevention, also should include cultivating a culture of respect for humanitarian and human rights standards among the armed actors as well as the wider civilian population. In this connection, mandated agencies such as the Office of the High Commissioner for Human Rights (OHCHR), UNICEF and the International Committee of the Red Cross (ICRC) should be encouraged to step up their respective activities of dissemination and promotion of international humanitarian and human rights law. OHCHR could also further this aim by intensifying its activities of technical cooperation, in particular to support the strengthening of the judiciary and of local NGOs. As for the Office of the United Nations High Commissioner for Refugees (UNHCR), although its current level of involvement is limited, it could also do more and indeed seemed ready to explore becoming more engaged.

C. Staff security

40. A message repeated during meetings with the diplomatic corps, the NGOs and the Government was that security Phase IV had lasted too long and was affecting the credibility of the United Nations and its ability to work in the country.

41. At the time of the mission by the Representative, there were several remaining conditions that needed to be met in order to revert to security Phase III in parts of the country. On the government side, the United Nations was still expecting the release of a report indicating the results of the investigation into the 1998 killing of a staff member of the World Food Programme (WFP). The Resident Coordinator a.i. indicated that he was confident that the Government of Burundi would soon issue the report. On the United Nations side, several steps needed to be taken. First, the United Nations security cell needed to be reconstituted. Second, security assessments of the country's provinces were under way and needed to be completed where security permitted United Nations Field Security Officers to conduct such exercises *in situ*. Third, security training for the United Nations country team, once it was reconstituted, needed to be undertaken. Progress on meeting these requirements was advancing, but needs to be accelerated. To this end, the Resident Coordinator/Designated Security Official a.i. was calling

for the dispatch of security officers on mission status to constitute the cell while the recruitment process for the permanent staff is under way. The assessments in the provinces were being delayed by security concerns, but the exercise was expected to be completed by the middle of February. The training was scheduled for the middle of March, although negotiations were under way to bring it forward.

42. On the last day of the visit of the Representative, the Designated Security Official a.i. received a fax from the Office of the United Nations Security Coordination (UNSECOORD) allowing overnight travel to certain of the provinces in the north (Ngozi, Muyinga, Karuzi and Kirundo) deemed to be safe subject to the presence of a professional United Nations Security Officer. The same fax allowed for the redeployment of international staff to the same provinces subject to notification of the appropriate security authorities.

43. Though the conditions for a return to a Phase III, where possible, appear likely to be fulfilled soon and the new instructions from UNSECOORD provide more flexibility for operations in the north, it must be noted that these developments will not change the mode of operations in key areas of the country as significantly as is hoped by several of the in-country partners of the United Nations. There is an expectation that when conditions for a return to Phase III in parts of the country are met, the United Nations will be able to function as it did before the October tragedy. However, conditions in the areas of the country where the majority of the internally displaced are located, such as Bujumbura Rural, Bubanza, Makamba and Rutana, are such that Phase IV procedures seem likely to remain in place even as other parts of the country revert to Phase III. Nonetheless, even in Phase IV, there are established security modalities that can be used by the United Nations country team in order to enable travel on a regular basis to areas outside of Bujumbura, wherever security permits. These security modalities are reflected in the memorandum on reinforced security protection of United Nations personnel signed with the Government on 20 January 2000. These need to be used more vigorously to allow for more frequent United Nations visits to the field.

D. Coordination and planning

44. At the institutional level, no single United Nations agency has an overall mandate to provide protection and assistance to internally displaced persons. In Burundi, the needs of internally displaced persons are being addressed through a collaborative framework based on the comparative advantages of the various humanitarian and development agencies and NGOs. However, a number of steps need to be taken in order to ensure an effective response. Existing coordination mechanisms need to be enhanced to ensure comprehensive and coordinated planning and provision of protection and assistance for internally displaced persons in general and the "regrouped" population in particular, whether still in the camps or returning home.

45. With regard to Bujumbura Rural, the Government and the humanitarian agencies agreed to use the existing coordination mechanism to come up with an overall plan outlining the needs of the populations returning home as well as those still remaining in the camps. It was also agreed that with regard to the broader internal displacement situation in the country, the coordination mechanism put into place within the Ministry of the Interior to address relations with the humanitarian community would be linked to existing United Nations and NGO mechanisms (OCHA and the NGO network RESO) to review needs and plan responses.

E. Resource mobilization

46. In Burundi, the cyclical nature of the violence, and hence of the displacement, has produced a certain degree of "donor fatigue". Furthermore, with regard to the response to the *regroupement* crisis, donors expressed some frustration over having to support humanitarian assistance to needs essentially created by a government policy. However, the Representative was also informed that thanks to the high visibility given to the *regroupement* problem because of the advocacy efforts undertaken at the international level, donors were becoming more forthcoming in their support.

47. To respond to the needs created by the *regroupement* policy, OCHA is currently facilitating an update of the 2000 Consolidated Appeals Process (CAP). It is critical for the international community to support this resource mobilization effort to allow the humanitarian community to respond effectively to the *regroupement* crisis. The humanitarian community will also need donor support to implement effectively its umbrella programme for addressing the needs of other vulnerable populations, including those who have been internally displaced for several years now and are still in need.

48. Another major concern raised during the mission is the reluctance on the part of donors to provide resources for activities that go beyond emergency sustaining assistance. Various interlocutors on the ground highlighted the fact that Burundi has never before been so close to a negotiated settlement of the conflict. Indeed, the President had just returned from peace talks in Arusha which appeared to have boded well for peace. The Representative underscored the need for the international community to support the Arusha peace process not only politically but also through longer-term structural support to address the root causes of conflict and reduce dependence on relief assistance. Doing so is essential to effective peace-building. The constructive engagement of the donor community, particularly the European Union, the World Bank, as well as bilateral donors, could make a positive contribution in this regard.

F. Capacity

49. Following the Rutana incident of October 1999 and the introduction of security Phase IV, the United Nations agencies were forced to reduce their presence in the country to essential staff only. Moreover, as activities were scaled down, a large number of NGOs were forced to close their country programmes. This combination of factors - lack of adequate human and logistical capacity as well as security - remains a serious constraint to an effective humanitarian response.

50. In addition to exploring the future possibilities for security Phase III involvement in certain areas, the Representative was informed that the United Nations country team was reviewing the number of international staff members that could be in the country under Phase IV in order to enhance its present capacity to respond to the pressing humanitarian needs. In this light, the Representative was encouraged by WFP's stated intention to launch a new six-month emergency operation and recruit an additional 35 staff. OCHA is also in the process of recruiting additional staff members to support humanitarian coordination and UNICEF has been filling several international staff vacancies. However, major gaps remain with regard to protection activities: the ICRC currently undertakes no activities on behalf of the internally displaced in Burundi and OHCHR has only four human rights monitors for the whole country.

OHCHR should urgently enhance its in-country capacity - human and logistical - to address effectively the critical issue of protection of the displaced and returning population.

51. The lack of stable leadership within the United Nations country team further hinders an effective humanitarian response to the displacement crisis in Burundi. Following the Rutana incident, the Resident Coordinator/Humanitarian Coordinator had to leave the country because of security considerations. The current Resident Coordinator/Humanitarian Coordinator a.i., who has been highly praised for his work, will be leaving shortly, creating once again a leadership vacuum within the country team. Accordingly, there is a need to identify in the shortest time possible a candidate to take up formally the position of Resident Coordinator/Humanitarian Coordinator and provide overall strategic leadership.

V. RECOMMENDATIONS

52. To be sure, addressing the plight of the internally displaced in Burundi, including those forcibly relocated into *regroupement* sites, poses considerable challenges for the international community. There are nonetheless a number of steps that, in the present circumstances, can be taken by the Government as well as by the international community to improve the conditions of the internally displaced. The Representative puts forth the following recommendations:

(a) The IASC and the wider international community should continue to advocate for the cessation of *regroupement* and the dismantling of all the *regroupement* camps. Additional visits by high-level United Nations officials should be undertaken as a means of continuing the dialogue initiated with the Government on these issues and especially of monitoring progress on the dismantling process;

(b) The Government and the international humanitarian community should jointly develop a comprehensive response strategy identifying the protection, assistance and reintegration needs of the "regrouped" populations and returnees as well as the measures and resources required to meet these needs;

(c) The Government is urged to communicate to the United Nations and NGOs the locations of the additional 13 sites to be dismantled in the second phase of the dismantling process. The Government should also be urged to include Kabezi on the list of the first camps to be dismantled, given the grave conditions in the camp and the hope generated among the camp population by the visit of the Representative. It should also give priority to those sites in remote locations and inaccessible to outside aid;

(d) The Government is called upon urgently to ensure that "regrouped" populations have full access to their agricultural fields at least four times a week, especially in order to enable them to plant crops during the current planting season which ends in mid-March;

(e) The Government and the international humanitarian community should continue to pay attention to the assistance, protection and reintegration needs of "non-regrouped" internally displaced persons;

(f) The international humanitarian community should compile comprehensive qualitative and quantitative information on the situation of internal displacement throughout the country and use this as a basis for planning a comprehensive and integrated response;

(g) The United Nations is called upon to fulfil the conditions required to review the maintenance of security Phase IV throughout the country;

(h) United Nations agencies should make greater use of existing modalities for operation (i.e. under security Phase IV) in order to undertake more frequent visits to camps and settlements of internally displaced persons as well as areas of return;

(i) Donors are requested to provide support to enable the international humanitarian community to respond to the assistance, protection and reintegration needs of the "regrouped" populations, other internally displaced populations and returnees;

(j) Donors are also requested to seek ways to engage constructively in Burundi on a longer-term basis in support of the peace process;

(k) There is a need to link humanitarian dialogue and assistance with the peace efforts and confidence-building measures through exchange of information and joint participation in relevant activities.

VI. CONCLUSION

53. Finally, it should be reiterated that as the Government had declared the policy of dismantling the camps, the climate during the mission of the Representative was conducive to constructive dialogue to secure the accelerated implementation of that policy and the encouragement of international cooperation in providing humanitarian assistance to the affected populations. What is now required is to sustain the momentum for dialogue and cooperation on behalf of those still in *regroupement* camps, those whose camps have been dismantled, and other internally displaced populations who still need protection and assistance from the authorities and the international community.

Notes

[1] The Representative was accompanied by his Assistant in the Office of the High Commissioner for Human Rights, the UNICEF Senior Regional Emergency Adviser for the Great Lakes and a Humanitarian Affairs Officer of OCHA-NY, all of whose inputs are reflected in this report. The Representative is grateful to UNICEF for having covered his and his Assistant's mission costs.

[2] See Profiles in Displacement: Burundi. Report of the Representative of the Secretary-General on internally displaced persons (E/CN.4/1995/50/Add.2).

[3] *Regroupement* also occurred in 1996. The dismantling of these sites began in 1997.

Annex I

INTER-AGENCY STANDING COMMITTEE POLICY ON FORCED RELOCATION ("*REGROUPEMENT*") IN BURUNDI

Definition

1. Forced relocation in Burundi, known as "*regroupement*", involves the massive forced movement of entire communities to sites at varying distances from their homes. These sites typically lack all basic services, are sometimes on the sides or tops of steep hills and, while officially administered by civilian authorities, are in practice under the control of military units. In many cases communities have been moved with no prior notice, in the middle of the night, and are allowed to take only what they can carry. Their homes are then often looted.

Legality of the action

2. The Government has claimed that its policy is in conformity with article 17 of Additional Protocol II to the Geneva Conventions (which allows for the forced movement of populations when the security of the civilians involved or imperative military reasons so demand), and that it is intended to protect the population from attacks by rebel forces. However, the stringent conditions which must be met under article 17 by the Government of any country carrying out the forced movement of populations have clearly not been met in the present case, and the action of the Government of Burundi is therefore illegal under international law. It is therefore also not in conformity with the Guiding Principles on Internal Displacement (presented to the United Nations Commission on Human Rights in 1998).

Humanitarian impact of the policy

3. Since 20 September 1999, some 330,000 people living in the province of Bujumbura Rural have been forcibly relocated by the Government into 53 sites. The impact of this action on the affected populations has been disastrous. The Government failed to make provision for food, water and shelter for those relocated to the sites. This resulted in widespread suffering involving psychological trauma, as these people, already among the poorest of the population, have been placed in sites with no access to basic services. The Government's claim that it was the responsibility of the international community to assist the affected people was unacceptable, and was rejected.

United Nations response to the policy

4. On 6 October 1999 the Secretary-General called on all parties involved in the conflict, both Government and rebel forces, to end all attacks on the civilian population and to abide by international humanitarian law and principles. He expressed extreme concern about the massive forced displacement of the population in Bujumbura Rural, and called on the Government and all other parties whose actions had given rise to the situation to end the armed conflict and to take measures to ensure that the families could return to their homes as soon as possible.

IASC policy towards forced relocation in Burundi

5. In 1997, in response to similar action by the Government of Burundi in other provinces, the IASC adopted the policy proposed in a memorandum of 27 February 1997 from Martin Griffiths to the then Emergency Relief Coordinator, Mr. Akashi. This policy, while vigorously denouncing the Government's action, agreed to the provision of "life-sustaining" assistance by the international community, subject to certain specified conditions.

6. Faced with a similar situation, the IASC reiterates its strong opposition to the policy of forced relocation. In the view of the IASC this policy cannot be justified. This policy is being implemented in Burundi without regard for the rights and well-being of those affected. The IASC holds the Government responsible for the humanitarian consequences of this action.

7. The IASC notes the pledge of the Government to start dismantling the relocation sites. It supports an ordered dismantling of the camps and calls on the Government to engage in a dialogue with the United Nations and other humanitarian organizations with a view to facilitating the voluntary return of the affected populations within the shortest possible time-frame and encouraging the development of durable solutions for those affected. These solutions should be identified with the full consent of those affected and would involve either return to their homes, or, in exceptional cases, settlement in other permanent sites freely chosen by the individuals concerned.

8. In response to a firm commitment by the Government to work towards an end to the forced relocation policy, the agencies of the IASC agree to seek resources from the international community for humanitarian aid to those affected by the policy, subject to the following conditions:

(i) Assistance in the relocation sites should be limited to what is considered "life-sustaining", i.e. food, essential health services, water and sanitation. Exceptions would be (a) assistance in the form of seeds, tools and fertilisers for those with regular access to their land (access to the land for planting in February is particularly important); (b) assistance in the form of educational supplies where the communities are able to organize schooling for children.

(ii) Assistance should, to the extent possible, be provided in support of a planned reintegration process of the affected populations, i.e. the voluntary return of those relocated to their homes, or, in exceptional cases, the planned settlement of communities in new sites, when specifically requested by the individuals concerned. Assistance for returnees and those being resettled should be provided alongside support for host communities.

(iii) No assistance should be provided for the creation of permanent structures in the sites, except where required for efficient delivery of water and sanitation.

(iv) Emphasis should be placed on ensuring access by internally displaced persons to, and assistance for existing local services which are still able to serve the needs of their communities, particularly, for example, assistance to local health centres and schools.

(v) No assistance should be provided to assist in the creation or administration of the camps.

(vi) Assistance should be provided on the basis of an independent assessment of needs, independent monitoring of distribution and unhindered access of humanitarian workers to the sites.

(vii) Assistance should be provided on a case-by-case basis, with each stage of assistance dependent on a fresh assessment of needs.

(viii) Full and free access of human rights observers to the sites must be ensured, to allow them to monitor and report any abuses which may occur there. A forum in which these reports can be reviewed and action taken should be established by the Government.

3 February 2000

Annex II

BUJUMBURA-RURAL

Démantèlement des sites. Phase I

10/02/2000

* Les communes les plus touchées par le regroupement sont Kanyosha puis Mubimbi et Kabezi; ensuite viennent les communes de Isale et Mutambu.

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UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/2001/5/Add.2
3 July 2000

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-seventh session
Item 14 (c) of the provisional agenda

SPECIFIC GROUPS AND INDIVIDUALS: MASS EXODUSES AND DISPLACED PERSONS

Report of the Representative of the Secretary-General, Mr. Francis Deng, submitted pursuant to Commission on Human Rights resolution 200/53

Addendum

The Representative of the Secretary-General on internally displaced persons, in conformity with Commission resolution 2000/53 encouraging the dissemination and application of the Guiding Principles on Internal Displacement at regional and other seminars on displacement and encouraging the Representative to continue to initiate or support such seminars in consultation with regional organizations, intergovernmental and non-governmental organizations and other relevant institutions, has the honour to transmit to the Commission the summary report of the Regional Workshop on Internal Displacement in the South Caucasus, organized by the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe, the Brookings Institution Project on Internal Displacement and the Norwegian Refugee Council and held in Tbilisi from 10 to 12 May 2000.

GE.00-14219 (E)

ANNEX

Summary report of the Regional Workshop on Internal Displacement in the South Caucasus

(Tbilisi, 10-12 May 2000)

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I. Statement of NGO partners

II. Agenda

III. List of participants

IV. Background paper

* Available upon request from the files of the secretariat.

1. Almost 1 million persons have been forcibly displaced within the countries of the South Caucasus, primarily by armed conflict and ethnic strife but also by natural disaster. Unlike refugees who have an established system of international protection and assistance upon which to rely, the internally displaced often find themselves with no predictable institutions to turn to, although they are in equally desperate straits.

2. To promote more effective solutions to the plight of internally displaced persons in the South Caucasus, a high-level gathering was convened on 10-12 May 2000 in Tbilisi, Georgia, at the invitation of the Representative of the Secretary-General on internally displaced persons, Dr. Francis M. Deng. Participants included officials of the Governments of Armenia, Azerbaijan and Georgia responsible for displaced populations, NGOs, academic institutions and displaced communities from the three countries, representatives of regional organizations, international organizations, and international NGOs, and international experts.

3. The workshop was sponsored by the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE), the Brookings Institution Project on Internal Displacement, and the Norwegian Refugee Council.

4. Participants at the workshop reviewed internal displacement in Armenia, Azerbaijan and Georgia, in particular the number of those internally displaced, the composition of the displaced populations, their conditions and special needs, and the role that Governments, regional organizations, local non-governmental and international organizations can play in addressing these concerns.

5. Participants emphasized the vulnerability and range of hardships that internally displaced persons endure. Along with emotional trauma, displacement often results in separation from family members, loss of economic opportunities, disruption of education and schooling and the severance of cultural and social ties. In the case of the South Caucasus, participants underscored the highly negative consequences that protracted internal displacement has had on the region and called upon the Governments concerned to reflect seriously on these consequences. For example, a number of speakers pointed out that internally displaced persons have become marginalized within their societies, which impedes their ability to contribute to the communities in which they now live in a constructive and productive manner. High levels of poverty and unemployment in the region further affect the internally displaced disproportionately. Concerns were also expressed about the growing number of internally displaced children who have had to resort to begging or even criminality. Several speakers pointed out that certain areas have experienced substantial depopulation combined with the growing trend towards "ethnic homogeneity". In addition, the continued absence of sustainable political solutions to the conflicts impedes possibilities for safe and durable return and perpetuates the state of uprootedness. Such conditions also undermine the claims States may have to future participation in European political institutions such as the Council of Europe and the European Union. Furthermore, these "frozen conflicts" and the difficulties of economic transition have resulted in a continuing "brain drain" or departure of the most economically active part of society and have undermined the region's attractiveness to international investment and the opportunities that this

would create. After many years of providing humanitarian relief, without an end in sight to the fundamental problems causing the displacement, international organizations and NGOs are now reconsidering their humanitarian relief efforts, from which an unhealthy dependency has developed. Some no longer feel they can provide effective assistance, feel deadlocked by the frozen political situation and have begun to question their presence in the region.

6. In addition, there is a lack of clarity about the difference between refugees and internally displaced persons. Unlike internally displaced persons, refugees have left their country of origin. Because they are abroad, they can benefit from an established international legal and institutional framework applicable to them. As such, they have a distinct legal identity which enables them to receive the protection of the State of which they are *not* a citizen. By contrast, the internally displaced remain within the borders of their own countries, which means that primary responsibility for meeting their protection and assistance needs rests with their home Governments. As citizens of their countries, they are entitled to the full protection provided by international human rights law and international humanitarian law as well as domestic law. Indeed, they have the same rights as all *other* citizens in their country which means that under no circumstances should they be discriminated against on account of their displacement. Internally displaced persons, however, do have special needs arising from their displacement. Responding to these needs sometimes requires that special measures be taken to ensure realization of their rights. The Guiding Principles on Internal Displacement serve as a guide to the Governments and other relevant actors in the region on how to make these rights operational during all phases of displacement.

7. Workshop participants welcomed the Guiding Principles as a useful restatement of hard international law as well as an instrument providing clear guidance in cases where existing international law contains grey areas. There is a growing worldwide acceptance of the Guiding Principles and recognition of the fact that they have gained international standing and authority. Hope was expressed at the meeting that the Principles would mature in time into customary international law.

8. From among the Principles, those relating to non-discrimination and equality, freedom of movement and choice of residence, political participation, return, resettlement and reintegration as well as the special needs of women and children were discussed in some detail. Particular emphasis was given to the right to political participation. Several participants pointed out that in Georgia, while the internally displaced are able to vote in presidential elections and for nationwide parliamentary lists, they are not able to vote for their local parliamentary and municipal representatives - that is for those who could most directly help improve their current conditions. The Government's position, it was noted, reflects the apparent concern, also expressed by some internally displaced persons, that by voting at the local level internally displaced persons will relinquish their right to return to areas from which they came. It was emphasized, however, that the two are not mutually exclusive and that the rights of the internally displaced should not be restricted on account of their displacement. A number of persons at the workshop expressed the view that the law should be amended and brought into line with international standards. Problems of political participation of the internally displaced were also noted in Azerbaijan and Armenia stemming from the remnants of the propiska system.

9. In general, the legacy of legislation and practices from the Soviet period, such as the propiska, has acted as impediments to the full exercise of property rights, freedom of movement and choice of residence, and hampered the ability of the internally displaced to partake easily of micro-credit projects. Since the Governments in the region were in a process of transition from one type of economic and political system to another, laws relating to citizenship, property, political participation and freedom of movement and choice of residence were also in a state of transition, creating additional problems for the internally displaced. Ultimately, the right of internally displaced persons to return to their home areas should not impede their access to more permanent housing, their right to vote for local representatives, and the possibility of finding employment in their current area of residence.

10. Attention also focused on the issue of property restitution in view of growing recognition that this is a crucial aspect of the peace-building process. A number of participants described different means by which property issues could be resolved. Certain precedents were cited from the context of Bosnia and Herzegovina and other Balkan countries that could prove instructive in the South Caucasus region. It was noted that States have an obligation to amend their legislation in such a way as to facilitate property restitution. The Government of Georgia informed the workshop of a new draft law on property restitution which would facilitate the return of persons displaced due to the Georgian-South Ossetian conflict. Several participants noted the importance of land allocation as a means of solving property problems.

11. In the three countries, women and children, the majority of the displaced, carry a disproportionate share of the burden resulting from displacement. For example, unemployment levels are higher among women. Children's education is interrupted. These socio-economic problems are reflected in family life. Participants pointed out that women surveyed by NGOs expressed their priorities to be: employment opportunities; the ability to utilize their skills; permanent and sanitary housing conditions; and above all, more normal lives for their children. Despite a strong sentiment in favour of return, women wanted the opportunity to live productive lives in their current places of residence, revealing once more that the right to return and the exercise of other basic rights need not be mutually exclusive. Several participants expressed the view that development programmes should be accompanied by psycho-social assistance for both women and children. This was considered to be as relevant now as it was immediately after hostilities since many children who previously did not receive such assistance were now beginning to show signs of traumatization. Indeed, it should be a fundamental component of efforts to rebuild conflict-affected nations. Reference was made to innovative NGO efforts, such as "peace camps", that were bringing together internally displaced and other war-affected children from different ethnic groups in order to promote inter-cultural dialogue and raise public consciousness to the importance of reconciliation and peace-building.

12. The subject of return occupied many participants. The Guiding Principles emphasize the importance of being able to choose between voluntary return and resettlement or integration in another part of the country. In the South Caucasus, however, participants noted that most internally displaced persons have a very strong desire to return to their places of origin, in part not to reward perceived past injustices. But unfortunately, as also pointed out, all attempts to solve the root causes of the various conflicts were frozen, making large-scale and durable returns in the near future unlikely.

13. Several participants noted the importance of developing a mechanism for reviewing the extent to which conditions for internally displaced persons in specific States accord with the standards contained in the Guiding Principles. A number of participants referred to the need for national legal and policy frameworks for responding to the needs of the internally displaced. In this regard, reference was made to the role that the Guiding Principles could play as a guide in the development of such frameworks. Mention was also made of the utility of incorporating the Principles into national legislation and ensuring their application at the local and district levels. In this context, the discussion revealed substantial differences in how the different countries of the region approach internal displacement as well as in the actual situations themselves, including their causes and consequences. At the same time, there were some strong similarities.

14. Some participants suggested that a regional approach to monitoring the Principles might be appropriate. For example, a regional council of experts might be established to monitor the Guiding Principles. Others suggested that the regional effort also include government representatives, in particular local government representatives. Still others felt that all forced migration should be covered and that internal displacement should be included as one component within a broader regional framework dealing with conflict resolution, regional stability, economic progress and the development of civil society. It was in particular suggested that support be given to the continuation beyond 2000 of the CIS Conference process so as to continue to reinforce the development of local capacities and strengthen networking among non-governmental organizations.

15. Another dominant theme at the workshop was how the international community could better address the needs of the internally displaced in the region. Given the protracted nature of displacement, international organizations had already begun to reduce their levels of humanitarian assistance to the countries concerned. Some participants expressed the view that relief assistance unaccompanied by development assistance had not served the region well. Development projects should have been introduced at an earlier stage to build self-reliance and fill the gap between relief and development. It was also pointed out that new emergencies in the world were detracting from the high levels of humanitarian assistance to the South Caucasus and that the unresolved conflicts in the region were eroding interest in funding development projects of the sort required. The OSCE Meeting on Migration and Internal Displacement scheduled for 25 September 2000 should be useful in focusing the international community's attention on the plight of the internally displaced in the South Caucasus.

16. Of particular relevance to the region was the "New Approach to IDP Assistance in Georgia", described by international organizations at the workshop. Building upon a similar initiative launched in Azerbaijan, the "New Approach" is an innovative partnership among the United Nations Development Programme (UNDP), Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), the World Bank and the Government of Georgia. It recognizes the right of internally displaced persons to return to their homes in safety and dignity. But absent these conditions, it recognizes the right of the internally displaced to be treated in the same manner as all citizens. Therefore, it aims at giving the internally displaced an opportunity to build skills and a level of self-reliance that they can take home - capacities available from development-oriented assistance rather than from traditional humanitarian aid. To this end, a fund is being set up which

will be used for micro-credit and other rehabilitation projects, and it will also be designed to take into account gender needs. The "New Approach" is intended to help bridge the gap between humanitarian relief and development assistance and serve as a model for how the international community can best address the needs of the internally displaced in a frozen conflict setting. Such an approach usefully could be applied comprehensively in all countries in the region.

17. Another significant means identified for addressing displacement, promoting solutions and encouraging transitions and change in society was the strengthening of civil society. Local NGOs have become active throughout the South Caucasus in working with displaced populations but they need increased training, funds and also stronger partnerships with their respective Governments. In particular, legislation is needed to encourage and facilitate their work and eliminate restrictions on their activities. Further, full partnerships are needed by local NGOs with international NGOs, international organizations and the private sector. Indeed, the view was expressed that national NGOs should play the lead role in their societies with internally displaced populations. To this end, a group of NGOs at the workshop made a series of proposals (see appendix I). These include the intention to develop a common framework for disseminating and promoting the Guiding Principles in the South Caucasus; the translation of the Guiding Principles into local languages (they are already available in Azerbaijani and Georgian) and in a format best suited to target groups; the initiation of regional consultations on issues relating to the internally displaced; the creation of country-specific monitoring mechanisms based on the Guiding Principles to assess the region's displacement situations; and the opening of a dialogue among Governments, NGOs and international organizations about the issues raised and their potential policy implications.

18. Workshop participants were informed about the Norwegian Refugee Council's Global IDP Database, created in support of the mandate of the Representative of the Secretary-General on internally displaced persons and to assist in monitoring the application of the Guiding Principles. Participants were encouraged to share information and to establish networks to ensure that available resources are utilized effectively. They were also invited to share information with the Database to help promote international awareness of the situation in the South Caucasus. The availability of up-to-date information on internal displacement in the region is essential to local, regional and international advocacy efforts

19. The workshop was further informed of government efforts with regard to the internally displaced in their respective countries. A number of government initiatives were considered promising, especially the stated willingness to revise current policies and legislation relating to the internally displaced and the intention to establish better cooperative frameworks with non-governmental organizations. However, it was noted that limited resources constrain governmental efforts and make cooperation with the international community essential. In particular, the role of international and regional organizations was found by participants to remain critical in several key areas:

- Advocacy to promote the rights of internally displaced persons;

- Advice to Governments on best practices;

- Resource mobilization through the donor community to complement national efforts;

- Reinforcement of coordination by Governments in their support of internally displaced persons; and

- Promotion of political solutions to the region's frozen conflicts.

20. As concerns political solutions, participants emphasized that the provision of humanitarian assistance and development aid could never replace the need for the resolution of conflicts that engender displacement. Indeed, in the absence of political will to resolve these conflicts, the present difficult situation will continue despite other efforts.

UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/2001/5/Add.3
6 November 2000

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-seventh session
Item 14 (c) of the provisional agenda

SPECIFIC GROUPS AND INDIVIDUALS: MASS EXODUSES AND DISPLACED PERSONS

Report of the Representative of the Secretary-General,
Mr. Francis Deng, submitted pursuant to
Commission on Human Rights resolution 2000/53

Addendum

Profiles in displacement: Armenia

GE.00-15719 (E)

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Introduction

1. At the invitation of the Government of the Republic of Armenia, the Representative undertook a mission to Armenia from 18 to 19 May 2000.

2. The objectives of the mission were four-fold. First, to study and document the situation of internal displacement in Armenia - a situation on which there is a paucity of research and analysis.[1] Second, to seek to understand the reasons why little attention has been paid to the plight of the internally displaced. Was this the result of lack of awareness and oversight, in which case attention to the problem was greatly needed? Or, quite the opposite, was it because, as was widely suggested to the Representative prior to the mission, that the internally displaced had been effectively absorbed into host communities such that their situation was now no different from that of the general population so that targeted attention to their needs was not required? If the latter explanation were true, then the case of Armenia nonetheless warranted study as a potential model of a particularly constructive response to the problem of internal displacement. In seeking to arrive at an explanation, the mission sought to determine whether the internally displaced had particular needs, different from the general population, as a result of their displacement or whether their current situation indeed did not warrant focused attention. Based on the answer to this question, a third objective of the mission was to determine, through solutions-oriented dialogue with the Government and with representatives of the international community and of civil society, appropriate responses for addressing the current needs of the internally displaced. Fourth, the mission sought to understand the problem of internal displacement in Armenia in its subregional context. In so doing, the mission to Armenia built upon the Representative's missions to Azerbaijan in 1998 (E/CN.4/1999/79/Add.1) and, immediately preceding the visit to Armenia, to Georgia (E/CN.4/2001/5/Add.4), as well as the Regional Workshop on Internal Displacement in the South Caucasus co-sponsored by the Organization for Security and Cooperation in Europe (OSCE), the Brookings Institution Project on Internal Displacement and the Norwegian Refugee Council, and at which representatives of the Government of Armenia as well as of international organizations and international and local non-governmental organizations (NGOs) engaged with the problem of internal displacement in Armenia were among the participants (see E/CN.4/2001/5/Add.2).

3. In light of the increased awareness of and attention to the problem of internal displacement in Armenia, which was noted to have been stimulated in part by the Regional Workshop and preparations for the mission, the Representative's visit proved most timely. Government programmes to address the situation of the internally displaced were being drafted and beginning to be discussed, enabling the Representative, over the course of his brief visit and through his dialogue with government officials as well as representatives of the international community and of civil society, to contribute to the process of their further development. In this sense, the mission was noted by government officials and representatives of the international community as having been particularly constructive.

4. The Representative was received by His Excellency the President of the Republic, Robert Kocharian, the Minister of Regional Administration and Urban Planning, the Minister of Social Security and Health, and the Speaker of the National Assembly. Extensive consultations were held with the head and other officials of the Department for Migration and

Refugees (DMR), the government body responsible for internal displacement. The Permanent Representative of the Republic of Armenia to the United Nations Office at Geneva, His Excellency Ambassador Karen Nazarian, who had travelled to Armenia for the purpose of facilitating the Representative's visit, attended these meetings with government officials. The Representative also discussed the situation of internal displacement with international agencies and NGOs, the head of the OSCE Office in Yerevan, donor agencies and local NGOs.

5. The programme included a field visit to Ijevan district in the region of Tavoush, located in the north-eastern part of the country and bordering on Azerbaijan. Accompanied by the Governor of Tavoush, the Representative visited a number of villages in the border areas, where he was received by the mayors and had the opportunity to meet with internally displaced persons and local residents. The findings of the field visit are elaborated in section II.

6. Throughout the mission, and as requested by the Commission on Human Rights and the General Assembly, the Representative used the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2) as the basis for his dialogue with government officials and representatives of intergovernmental and non-governmental organizations. The Government of Armenia responded very positively to the Guiding Principles. Indeed, at its initiative, it indicated that it would translate them into Armenian and disseminate them actively in the country.

7. The Representative would like to express his appreciation to all those who took the time to meet with the mission delegation and share their insight into the situation. He is particularly grateful to the United Nations Resident Coordinator and her staff as well as the Ministry of Foreign Affairs, the Permanent Representative of Armenia to the United Nations Office at Geneva, and the DMR for their assistance in organizing the programme of the mission.

8. The report is organized into five sections. The first section provides a brief overview of the situation of internal displacement in the country. Section II sets out the findings of the field visit. Section III sketches the national and international responses. Section IV draws the conclusions of the mission. Finally, section V consolidates a number of recommendations, which also find reflection in earlier sections, for enhancing national and international responses to the situation of internal displacement.

I. OVERVIEW OF THE DISPLACEMENT CRISIS

9. According to government figures, there are 192,000 internally displaced persons in Armenia. This figure covers displacement due to a variety of causes. An estimated 72,000 persons were displaced as a result of military operations in areas bordering Azerbaijan due to the decade-old conflict regarding Nagorno-Karabakh. Though a 1994 ceasefire remains in effect, the conflict remains without a political solution and there have been recurrent skirmishes and instances of shelling in border areas. The remainder of the internally displaced were uprooted as a result of natural or human-made disasters: an estimated 100,000 persons continue to be displaced as a result of the devastating earthquake of 1988 which resulted in the death of over 25,000 people and rendered some 500,000 persons homeless; 10,000 persons have been displaced as a result of more recent natural disasters, in particular mudslides; and a further 10,000 persons have been internally displaced as a result of human-made disasters.

10. The mission focused on the plight of those internally displaced by the conflict. While this has tended to be the case for the Representative's missions generally, in Armenia, doing so was considered particularly important on account of the broad consensus among persons with whom the Representative met that, in contrast with the case of persons uprooted by natural disasters in Armenia, in particular by the earthquake, the plight of persons internally displaced by the conflict had received little attention, at either the national or international level. At the time of the Representative's visit, efforts to assess and to comprehensively address the particular situation of the conflict-induced internally displaced recently had begun but, as will be explained below, remained at a nascent stage.

11. It should be noted that independent estimates of the number of internally displaced persons are lower than the figure of 72,000 cited by the Government. The U.S. Committee for Refugees, for instance, cites a figure of roughly 60,000.[2] The discrepancy in figures can, at least in part, be explained by the fact that the figure of 72,000 conflict-induced internally displaced persons cited by the Government includes several thousand persons displaced into Armenia from Nagorno-Karabakh who would thus be refugees, rather than internally displaced persons. Indeed, the Government acknowledged that among the 72,000 conflict-induced internally displaced "a great number" are refugees who came to the Republic during 1988-1992, who were initially settled in the border areas inside Armenia and then became displaced again, within Armenia, due to insecurity in those areas.

12. Moreover, in the aftermath of the break-up of the Soviet Union, its legacy continues to complicate drawing a clear description of patterns of displacement as a result of the complex patchwork of political borders in the Caucasus region that has been inherited by the successor States. In the case of Armenia, its territory includes the small exclave of Artzvashen located a few kilometres from the border in north-western Azerbaijan (see map at annex). As a result of the conflict, the population of this area fled into Armenia proper. Though in doing so they were required, owing to the peculiar geographical arrangement created by the exclave, to cross an internationally recognized border - twice, as citizens of Armenia fleeing from one part of the country to another, they arguably ought to be considered as internally displaced.

13. Within Armenia proper, internal displacement as a result of the conflict was concentrated in the marzes or districts along the border with Azerbaijan, namely Tavoush, Sjounik, Vajots Dzor, Ararat and Gegharkounik. A comprehensive survey in these regions undertaken in 1998 by the Refugees and Displaced Persons Working Group provides important information about the characteristics of the displacement crisis.[3] Initially, 50-60 per cent of the population, mainly women, children and the elderly, left the villages for the summer pasture lands, where they lived in temporary dwellings. Though in some cases, usually during continuous military actions, residents moved as complete family units, the separation of families was common: half of the displaced households in Tavoush, Vajots Dzor and Gegharkounik marzes constitute families of only one or two members. The other half consists mostly of young families which have remained intact but have been separated from relatives.

14. Though some of the displaced remained in the pasture lands for almost two years, for the most part, the displaced were regularly on the move. They tended to move from the border villages incrementally, first leaving for the summer pasture lands, then to safer locations within the marz. Later, those who could - usually the wealthier among them - moved on into the central

parts of Armenia and even, ultimately, emigrated. Consequently, the internally displaced are dispersed throughout the country rather than settled as compact, easily identifiable groups. Indeed, both the Government and the international agencies working in the country reported having difficulties in knowing precisely where the internally displaced were located.

15. One major exception to this settlement pattern is the population displaced from Artzvashen. Persons displaced from this exclave largely settled as communities in the predominantly ethnically Azeri towns located between the border and the northern shore of Lake Sevan which were abandoned by ethnic Azeri refugees who fled from Armenia to Azerbaijan. In some cases, they are occupying the homes abandoned by the Azeri refugees.

16. As noted above, in the ultimate step in this pattern of incremental population movement, a sizeable but undetermined number of internally displaced persons have left the country. This has occurred as part of the larger trend of out-migration of several hundreds of thousands of Armenians in search of better economic opportunities. Internally displaced persons as well as refugees make up a disproportionately high number of the persons leaving the country: it was suggested as a possible explanation that because these persons are already mobile they are more inclined to leave, especially given the absence, within the country, of durable solutions to their plight. As the Government noted with great concern, the phenomenon of mass out-migration exacerbates the challenges of reconstruction in the areas affected by the war as well as the socio-economic development of the country as a whole.

17. In this connection, it must be noted that the internal displacement crisis occurred in the context of a difficult period of post-Soviet transition, involving not only a sudden change of political system but an abrupt transition towards a competitive market economy which led to a sharp decline in living standards. The economic blockade by Azerbaijan and, subsequently, Turkey as a consequence of the conflict has further exacerbated the economic difficulties of the country. Among the countries in the Commonwealth of Independent States, Armenia is reported to have the highest rate of official unemployment and one of the lowest levels of nominal salary - approximately US$ 25 per month.[4] More than half of the population lives below the poverty line and almost 28 per cent of the population is very poor and unable to secure minimum nutritional requirements.[5] While these difficult economic conditions have affected the population as a whole, the United Nations reports that the process of economic transformation has placed a particularly heavy burden on the socially vulnerable groups, including internally displaced persons, "whose situation grows worse as prices increase and pensions and salaries are eroded".[6] At the same time, the economic difficulties also constrain the capacity of the Government to address their plight.

II. FINDINGS OF THE FIELD VISIT

18. Focusing on the conflict-induced internally displaced, the mission undertook a field visit to the region of Tavoush, where considerable displacement occurred as a result of insecurity stemming from the conflict. This region constitutes roughly 10 per cent of the territory of Armenia but, given its location along 350 kilometres of border with Azerbaijan, it has been disproportionately affected by the problem of conflict-induced displacement. At the same time,

it has also suffered internal displacement due to natural disasters, in particular mudslides. The Governor of Tavoush informed the Representative that there were 28,000 internally displaced persons in the region, of whom 16,000 had already returned to their homes.

19. Accompanied by the Governor, the Representative visited a number of villages in the border area, specifically: Vazashen, which is located only 1 kilometre from the border, Nerkin-Karmiraghbjur and Ajgepar. In all of these villages, the Representative was received by the local authorities and had the opportunity to meet with internally displaced and returnee communities as well as members of the local population who had not fled. As both the Representative and, indeed, the Working Group Survey found, the main problems faced by the returning internally displaced, and often also confronted by the local population, were in the areas of shelter, security, self-sufficiency and social infrastructure.

A. Shelter

20. In the border regions, the Survey found that an estimated 75 per cent of the displaced were living in pasture huts and other temporary dwellings, 18 per cent residing with relatives, 3 per cent were accommodated in hostels and rest homes and only 4 per cent had been able to purchase homes of their own.[7]

21. According to government estimates, more than 12,300 houses in the border regions were damaged, with 40 per cent of these having been ruined.[8] In the region of Tavoush, it was estimated that some 250 houses had been completely destroyed, 935 had been seriously damaged and more than 7,000 had suffered some damage. The Governor reported that the houses of only a small number of returnees had been reconstructed. Usually, this has been the result of the returnees' own efforts, though it was noted that the local government had provided some reconstruction assistance in 1994 immediately after the introduction of the ceasefire when some people began to return, and especially to women heads of household.

22. Indeed, in the villages visited, damage to shelter was evident, with the extent of damage varying from one shelter to another. The mission met with one elderly woman whose house had been completely destroyed and who was compelled to live in a stable. It also visited returnees living adjacent to their destroyed homes in temporary shelter consisting of an iron container which had initially been used by persons who had lost their homes as a result of the earthquake of 1988. By "temporary", it was explained that these structures were designed for use of a period of two years. Now in use for 12 years, these structures are showing signs of serious wear, including leaks and water damage. Moreover, the Representative was informed that many of the shelters reportedly were not even in habitable condition when they were first provided to the conflict-induced internally displaced: the Minister for Regional Administration and Urban Planning (whose responsibilities include securing shelter for internally displaced persons) spoke candidly about the inadequate condition of the temporary shelter provided by the Government, noting that they had been "falling to pieces" when they were transported to the internally displaced several years ago. Lacking insulation, the shelters were reported to be very cold in the winter and hot in the summer.

23. Local authorities in the villages in the border areas stressed, above all, the need for shelter reconstruction, maintaining that if houses were rebuilt, more people would return.

B. Security

24. While security incidents in the border regions were reported to have decreased significantly, particularly in recent months with progress in the peace process, in the absence of a lasting settlement to the conflict security risks persist, especially in the villages located in close proximity to the border. As an indication that such dangers remain very real, when visiting one village located only a kilometre from the border, the mission delegation was instructed to disembark from the cars and leave these concealed behind trees so as to minimize the risk of "being shot at". Another village visited was 700 metres from the border, with trench lines clearly visible.

25. Heavy mining of the region poses a further security risk. In Armenia, as in other countries with displacement, it is a risk that is heightened for returning displaced persons who, on account of their absence from the area, have less knowledge as to the location of mines.

C. Self-sufficiency

26. In the border areas, agriculture and stock-breeding constituted the main means of food for subsistence as well as income-generating activity, either directly through the sale of commodities or through employment in processing plants. At present, however, agricultural activities are severely curtailed: about 25 per cent of cultivable land and about 40 per cent of irrigated land is not being utilized, primarily due to the lack of agricultural equipment and seeds, damage to irrigation systems, lack of agricultural labour and the significant presence of landmines. In one village visited by the Representative, it was reported that 254 out of 390 plots cannot be cultivated owing to the presence of mines. At the same time, residents informed the Representative that despite the lack of access to their land, they are compelled to pay taxes on land which they cannot cultivate - a requirement which appears inherently unjust and should be relaxed by the Government until such time that demining occurs and enables safe access to the land. Decreasing the profitability of the agricultural production which does occur are the problems of transportation to market caused by damage to roads and the fact that plants for the processing of agricultural goods also have been destroyed or damaged. Reportedly, only one in five internally displaced persons in the border areas is employed.[9]

D. Social infrastructure, including health care and education

27. According to government figures, more than 78 educational centres, 62 medical clinics, 515 km of water pipes, 724 km of irrigation water pipes and 575 km of road have been damaged in the border regions. Sixty per cent of roads are classified as ruined and 70 per cent of villages reportedly are deprived of potable and irrigation water.[10]

28. Access to health care is limited. Only 60 per cent of the border villages have a medical office and these have only 20 per cent of the required personnel, resulting in a quality of medical examination and treatment considered to be well below standard.[11]

29. Educational opportunities also have been severely curtailed. Some border villages have no functioning schools. Where school facilities do exist, 60 per cent require urgent renovation and 12 per cent of the buildings require basic renovation to make them usable at all. School

buildings are considered to be in particularly poor condition in Tavoush and Sjunik marzes. Throughout the region, functioning nursery schools are very rare.[12] Aside from the damage to or destruction of physical infrastructure, a number of other problems impede access to education. Qualified teachers are required for most of the schools; however, given the poor housing conditions in the area, few teachers are willing to live in the region. Pupils suffer from a lack of textbooks and other school supplies.[13] Moreover, when it rains heavily, a number of the (dirt) roads are washed out and become impassable, making transportation very difficult. Under such conditions, which prevailed on the day of the Representative's visit, children are unable to attend school - as indeed was the case that day. The impact of the conflict on education has been devastating. The mayor of one village, lamenting that "children are lost in such conditions", explained that in the 10 years since the war, not a single child from the village had gone on to higher education, whereas 8-10 children routinely had done so during the pre-war (and Soviet) period.

III. NATIONAL AND INTERNATIONAL RESPONSES

30. Within the Government, the focal point for the issue of internal displacement is the Department for Migration and Refugees (DMR). Formerly part of the Ministry of Social Security and Labour, the DMR was established in 1999 as an independent department, reporting to the Prime Minister. Its mandate is to develop and coordinate implementation of a unified national policy of migration, including with respect to internally displaced persons. Valuable assistance in developing national policy, harmonizing migration-related legislation and undertaking certain operational programmes is being provided to the DMR by the International Organization for Migration (IOM) through its Capacity Building in Migration Management Programme. As part of this programme, working groups comprised of government officials from the relevant ministries and academics, supported by IOM, have been established to formulate recommendations for government review in the areas of policy and management; legislation; refugees and internally displaced persons; and border management and information systems.

31. Internally displaced persons from the border areas, the 1999 report of the Working Group on Refugees and Internally Displaced Persons found, "have been given almost no attention by the State, because of too many and complicated refugee and ecological migrant problems, as well as the overloaded State budget".[14] Broad consensus on this point was found to exist among the variety of actors with whom the Representative met during the mission - the Government, United Nations agencies, international NGOs, civil society and donors. They acknowledged that the plight of the conflict-induced internally displaced had not received any particular focus at either the national or international level and that there was little awareness of the problem of internal displacement or the needs of the internally displaced and few programmes specifically designed to address their plight.

32. Practical as well as substantive reasons were offered to explain this. First, it was noted that humanitarian action had been focused on addressing the needs of the earthquake victims and then, added to this, some 340,000 refugees from the conflict. Each of these groups of beneficiaries was larger in terms of numbers than the internally displaced and their needs overwhelming: indeed, as reported above, 12 years after the earthquake some 100,000 persons

uprooted by it continue to be in need of assistance. Those persons displaced by the earthquake as well as those who fled to Armenia as part of the refugee influx from Azerbaijan also were considered to be more easily identifiable populations in need than the internally displaced, who had fled in small groups, in most cases to the homes of relatives, and thus became dispersed. Indeed, as noted earlier, the Government and the international community have not precisely mapped out the location and needs of the internally displaced population of the country.

33. Second, and more substantively, it has been assumed that the needs of the internally displaced would be addressed through general programmes for vulnerable groups and for poverty alleviation. More focused attention, international agencies in particular observed, would risk privileging the internally displaced compared with the rest of the population. At the same time, however, it was acknowledged that general programmes may not adequately take into account the particular needs of internally displaced persons; indeed, there was a lack of clarity about the extent to which existing programmes in fact do so.

34. Take, for instance, the system of food distribution three times a year by the World Food Programme (WFP) to 110,000 vulnerable persons, identified according to lists provided by the Government-run vulnerability assessment system known as PAROS (Armenian for "beacon"). Though food assistance initially was focused on refugees, internally displaced persons and earthquake victims, in order to take into account that part of the general population also suffering food insecurity, in 1994 a targeting mechanism was put into place with the PAROS system to ensure that food distribution reached those most in need. PAROS assesses household or family vulnerability by taking into account a number of factors: (i) family composition, including the presence of household members belonging to socially vulnerable groups, such as persons with disabilities; (ii) household income level including assets; and (iii) location and conditions of residence. A numerical weighting is assigned to each variable and, on this basis, a vulnerability index calculated for each household. Though both WFP and the PAROS Director could state with certainty that the 110,000 beneficiaries of WFP assistance included internally displaced persons, their precise number was not known. That is because internally displaced persons are not specifically identified, but have their vulnerability assessed on the same basis as the population at large. To be sure, a special coefficient in the calculation of vulnerability is assigned in the case of persons in the conflict border areas (as in the earthquake zones) as well as for persons in temporary housing. However, unlike for refugees, there is no specific weighting given to the displacement itself and the particular vulnerabilities that arise from being displaced. And yet, the report of the Working Group on Refugees and Displaced Persons stressed that the internally displaced persons compelled to leave their homes as result of military action in the border areas are one of the most vulnerable social groups in Armenia.[15]

A. Towards a more focused response

35. In an effort to begin to address the needs of Armenia's conflict-induced internally displaced population, the DMR has formulated, on the basis of the Working Group's survey of the border regions, a project proposal to support the return of conflict-induced internally displaced persons through the rehabilitation of the border areas from where they originated.[16] The project is designed to support the return both of the 28,000 who already have returned as well as of the 39,000 additional displaced persons who are expected to want to do so, while also

improving the conditions of the non-displaced local population. This comprehensive, community-based approach taking into account the different groups of affected populations in the border areas and seeking to respond to their needs in an integrated manner is a particularly welcome aspect of the project.

36. The project has four principal areas of activity. First, shelter conditions are to be restored to minimum standards through the repair or reconstruction of homes. Support for home repair is to be provided to returnees and the non-displaced alike. In the case of homes that have been totally destroyed, one-room houses with 25 square metres of living space are to be constructed, at a cost of under US$ 4,000 each.

37. Secondly, social infrastructure is to be rehabilitated through a series of projects to rebuild educational and health care facilities, water systems, electricity, transport and communications. The participation of internally displaced persons in these projects is to be ensured so as to create income-generating opportunities for them.

38. As a third component, to facilitate their reintegration, returnees are to receive food assistance for the initial six months, after which point it is expected that with the support of agricultural implements and micro-credit the resumption of agricultural work and other income-generating activities will enable self-sufficiency. For those displaced persons whose land is in mined areas, new plots of land are to be allocated until such time that demining occurs.

39. The fourth component of the project is a demining programme. Although some demining of the border areas has begun, a comprehensive demining programme is still required.

40. The project is to be implemented under the coordination of the DMR, in collaboration with local and national authorities, and involving international and local non-governmental organizations as well. The estimated total cost of the project is US$ 81 million, to be spent over a period of three years. The Government is prepared to "finance the project each year in the limits of its possibilities" and will seek assistance from the international community for the remainder. Officials in the DMR suggested that the Government would be able to contribute to the project something on the order of US$ 15 million of the $81 million required. Several government officials spoke of the significant amount of international attention and assistance devoted to the plight of internally displaced persons in other countries in the region, suggesting the need for greater parity in the international approach.

B. Prerequisites of a plan of action

41. Clarification of the status of the project is an essential prerequisite for its implementation. Early into the Representative's brief mission, it became apparent that the project, which had been presented to him by the DMR, was only a proposal and still required approval within the Government. Indeed, several government officials with whom the Representative met were unaware of the project. Nor was there much awareness and understanding among them of the problem of internal displacement in Armenia that the project seeks to address. The United Nations Resident Representative shared this impression, noting that in UNDP's discussions with the Government (which were ongoing at the time of the mission) concerning its

priorities, budgetary planning and needs for assistance from the international community, no reference had been made to the issue of internal displacement or the project. There was thus a clear disconnection between the plans of the DMR and the priorities of the Government as a whole. Following a comment to this effect by the Representative, awareness among government officials of the nature of the problem of internal displacement as well as the project (though not necessarily the details of its contents) became noticeably greater over the course of the mission.

42. The project proposal also was unknown among United Nations agencies, international as well as local non-governmental organizations and representatives of the donor community. Some agencies and donors indicated that they might in principle be ready to consider supporting a programme to support return and reconstruction in the border areas but raised concerns regarding the cost of the project proposal being promoted by the DMR, which they had yet to see. Moreover, a number of international agencies and donors indicated that they did not have the sense that internal displacement was a priority issue for the Government as it had theretofore never been mentioned.

43. Detailed discussion of the substance of the project inevitably was sidetracked by these problems of process, both within the Government and in relation to the international community, which surfaced during the mission. In bringing these problems to the fore, however, the mission nonetheless provided an opportunity to address them. Indeed, doing so became a main focus of the Representative's mission.

44. With the active involvement of the United Nations Resident Representative, the following three-step plan of action for moving forward with the project proposal was worked out with government officials. First, it would be necessary to consolidate government support for the project. Government officials suggested that initially this should occur by means of a trilateral meeting between officials of the DMR, the Ministry of Foreign Affairs and the Ministry of Finance and Economy. Other relevant ministries, especially those of Regional Administration and Urban Planning, and Social Security and Health, would then also need to be engaged. The project would need to be formally adopted by the Government and incorporated into the national budget and policy framework. Doing so would give a clear signal that the project's aim, to address the needs of the internally displaced, is a priority for the Government. This, in turn, would enable better coordination with the international community and create the basis for the mobilization of international resources. Second, the project would be officially presented to the United Nations and international community for consideration. But even before all of this, an assessment of internally displaced persons in the country would need to be undertaken to establish their whereabouts, needs and, in particular, their intention to return to their home areas and under what conditions. For those who do not intend to return, projects supporting resettlement will need to be formulated.

IV. CONCLUSIONS

45. By way of conclusion, it can be said that the mission achieved its four stated objectives. The first of these was to study and document the situation of internal displacement in Armenia. It is to be hoped that this report contributes to greater awareness and understanding of this particularly under-reported case of internal displacement.

46. Part of understanding the situation of internal displacement in Armenia involved placing it in its subregional context, a second objective of the mission. As in other cases in the region, a shared ethnic identity between the displaced and the authorities helps to explain why, in a situation of ethnic conflict, the internally displaced are not associated by the authorities with the "enemy" and denied national protection and assistance on that basis. However, the situation of internal displacement in Armenia differs from that in other countries in the region in a number of ways. To begin with, the number of persons uprooted is comparatively small. The nature of the displacement crisis also is different in that the affected areas were on the sidelines rather than in the centre of the area of conflict (which has been concentrated outside of the territory of Armenia) and are not under occupation. There are no camps or other large and visible concentrations of internally displaced persons, who instead have largely been taken in by relatives or friends or settled in small groups in temporary accommodation. Indeed, as noted earlier, government officials and international personnel have not mapped out where the internally displaced are located. Also, a defining characteristic of the Government's response to internal displacement in Armenia, which contrasts with other cases in the region, is that the plight of the internally displaced has not been highlighted and promoted for political purposes, in particular for the regain of territory. In fact, the Government has paid little attention to the issue of internal displacement as such. Moreover, its approach has been reflected in the international community's response, which has also not focused attention and resources on the plight of the internally displaced in Armenia as it has in other countries. On account of the difficult economic situation of the country as a whole, the Government clearly is lacking the capacity to meet the needs of its internally displaced single-handedly. International support to reinforce Armenia's efforts is required. Just as the problems of internal displacement must be viewed in their regional perspective, so too must international efforts to find solutions to them.

47. Another mission objective was to gain an understanding of why so little attention had been paid to the internally displaced by the Government and the international community and whether more focused attention was required. The impression, prior to the mission, was that the internally displaced had been absorbed into the general population and that this was the result of a community-based holistic approach, which could serve as a potential model. However, the mission found that the lack of attention to the internally displaced was due more to oversight of their needs than a deliberate policy seeking their integration into society. Government officials, civil society, international agencies and the donor community all acknowledged that they had not devoted specific attention to the internally displaced and thus not addressed their specific needs. Among the particular hardships faced by the internally displaced and identified by international agencies were loss of or damage to shelter, lack of access to land, psychological trauma, little engagement in economic activity and lack of government response to their needs. In this last connection, the President referred to Armenia's conflict-displaced internally displaced as "The Forsaken People" in express reference to the book of the same name co-edited by the Representative.[17] The openness of the Government in acknowledging its past shortcoming in this regard is a bold and constructive step.

48. The field visit proved tremendously enlightening in terms of identifying and highlighting the needs of the internally displaced. Literature on the situation as well as the preliminary meetings held by the mission delegation with government officials and international agencies in the capital had suggested that the needs of internally displaced persons were being satisfactorily

addressed through general programmes for poverty alleviation. However, as the field visit made evident and as the Working Group survey has documented in greater detail, clearly this is not the case. Considerable needs of the internally displaced in the conflict areas are not being attended to, especially with regard to shelter, safe access to land, opportunities for self-sufficiency and access to health care and education. The field visit, and indeed the mission as a whole, was said to have been helpful to the Government and international agencies present in the country, raising their awareness of the particular vulnerabilities of internally displaced persons and how current programmes were not adequately addressing these.

49. A fourth, and final, objective of the mission was to explore, through solutions-oriented dialogue with the Government and other relevant actors, appropriate responses to the situation of internal displacement. Although there was beginning to be greater awareness within the Government of the issue of internal displacement and, consequently, some projects developed to address it, a comprehensive approach on the part of all relevant government ministries and departments was lacking. The lack of coordination within the Government on the issue made evident that internal displacement was not yet a national priority and this, in turn, was undermining the possibilities for international engagement and support. Intense efforts to address these issues became an important, though unexpected, focus of the mission. It is to be hoped that the steps identified by the Government as necessary to move forward its programme for the conflict-induced displaced have since been taken.

50. Though several years late in coming, the recent awareness of and attention to the situation of internal displacement in Armenia is certainly welcome. At the same time, there is a need to resist the tendency, which is strong in the region, to politicize the plight of the internally displaced in the pursuit of geo-strategic objectives. Also, addressing the particular needs of the internally displaced must remain part of a community-based holistic approach which also takes into account the rehabilitation and development needs of the population at large.

V. RECOMMENDATIONS

51. **Conduct a comprehensive survey and needs assessment**. As a first step, detailed data must be collected on the situation of internal displacement - information which at present is sorely lacking. In particular, there is a need for a determination of the number of internally displaced persons, disaggregated data on their gender, age and socio-economic profile, a mapping of their location in the country, and an assessment of their current needs as well as intention to return to their home regions or resettle elsewhere. Gaining an accurate picture of the number, location and conditions of internally displaced persons in the country is a prerequisite for designing programmes to address their needs.

52. **Recognize internal displacement as a factor of vulnerability**. The identification by the Working Group on Refugees and Displaced Persons of internally displaced persons as one of the most vulnerable social groups in the country should be reflected in any vulnerability assessment. As with refugees, the mere fact of being internally displaced should be allotted a special coefficient in the PAROS system of vulnerability assessment that is used to determine eligibility for food assistance.

53. **Increase national awareness of internally displaced persons**. Greater awareness of the needs of internally displaced persons is required among public officials as well as within the public at large. The translation by the Government of the Guiding Principles into Armenian should facilitate awareness-raising efforts.

54. **Ensure the voluntariness of return**. Though this is a guiding principle of the DMR project proposal and, according to international agencies, is expected not to be a problem, the voluntariness of return would still need to be monitored. This is an area of activity in which both IOM and the OSCE noted they may be in a position to play a role, in partnership with local NGOs.

55. **Objectively assess security conditions in areas of return**. To adequately inform the decision of internally displaced persons whether to return, an objective assessment of security conditions in the potential areas of return is required. Area-specific assessments are required as the security conditions along the border areas are not uniform. For instance, areas bordering territory in Azerbaijan occupied by Armenian forces generally are considered to be safe, whereas regions of Armenia bordering territory that remains under the effective control of the Government of Azerbaijan are considered to be at higher risk.

56. **Undertake comprehensive demining and mine-awareness**. A critical component of security assessments is the presence of landmines. There is a need for a comprehensive approach to this security threat, through the mapping of mines, a mine-awareness campaign and a demining programme.

57. **Ensure safe access to land**. As agriculture constituted the main economic activity of the internally displaced from the border regions, access to land is a key condition for sustainable return and self-sufficiency. Where, as is often the case, agricultural land is mined, temporary access to alternative cultivable land should be provided until demining is undertaken. Where internally displaced persons cannot access their own land due to the presence of mines, they should temporarily be relieved of obligations to pay taxes on this land.

58. **Support reconstruction and rehabilitation in the border regions**. A massive reconstruction and rehabilitation programme is required to restore minimum shelter conditions and rebuild social infrastructure, especially health care facilities and schools but also water and irrigation, electricity, transport and communication systems in the border areas. This programme should be holistic in nature, designed for the benefit both of returning internally displaced persons as well as the populations that never left. Given the considerable physical damage suffered in the border regions, international resources will need to be mobilized in support of such efforts. The project proposal for rehabilitation of the border areas that has been developed by the DMR provides a basis for discussions on this issue both within the Government and with the international community, including the World Bank which is sponsoring programmes supporting durable solutions for internally displaced persons in other countries in the region.

59. **Clarify, consolidate and coordinate government policy on internal displacement.** Effective engagement of the international community and, in particular, the mobilization of resources for programmes for internally displaced persons in Armenia will first require that the Government clearly identify the issue of internal displacement as a national priority and reflect

this in policy documents as well as in the national budget. To follow through on this priority, there is also a need to establish within the Government a mechanism for coordinating national policy on internal displacement among the various relevant ministries as well as with the international community. The DMR may be the most appropriate entity for this function, provided it is given adequate standing within the Government and the necessary resources.

60. **Actively support conflict-resolution efforts**. A truly durable solution to the problem of conflict-induced internal displacement in Armenia necessarily requires an end to the conflict itself. Advances in the peace process this past year, in particular through the initiation of dialogue between the Presidents of Armenia and Azerbaijan, have given grounds for new optimism concerning possible concrete developments towards a political solution to the conflict. These efforts must continue to be supported, by the Governments concerned and by the international community.

Notes

[1] In an effort to begin filling this gap, the series of case studies on internal displacement commissioned by the Representative, as part of a comprehensive study of the global crisis on internal displacement, includes a chapter on the Caucasus, which contains a section on Armenia. See Thomas Greene, "Internal Displacement in the North Caucasus, Azerbaijan, Armenia and Georgia," in Roberta Cohen and Francis M. Deng (eds.), The Forsaken People: Case Studies of the Internally Displaced (Washington, D.C.: Brookings Institution, 1998), esp. pp. 232-240 and 271-283. Following the mission, and incorporating some of the information collected during it, the country profile on internal displacement in Armenia, prepared for the Inter-Agency Standing Committee global database on internal displacement, which is operated by the Norwegian Refugee Council, was released (see www.idpproject.org). The country profile is prefaced, however, by the caveat that "[t]here exists a general lack of knowledge on the scope and situation of the internally displaced population as a result of the conflict between Azerbaijan and Armenia unlike internal displacement resulting from the 1988 earthquake in northwestern Armenia" and that "[i]nternational agencies in the country concede that measures should be taken to fill this gap".

[2] U.S. Committee for Refugees, World Refugee Survey 2000 (Washington, D.C.: Immigration and Refugee Services of America, 2000), p. 210.

[3] Refugees and Displaced Persons Work Group/Capacity Building Migration Management Programme/IOM, Migration Trends Among Internally Displaced Persons in Border Regions of the Republic of Armenia (January 1999), p. 16.

[4] 1999 Annual Report of the United Nations Resident Coordinator in Armenia, p. 8.

[5] United Nations Development Programme, Common Country Assessment: Armenia (Yerevan: United Nations, 2000), p. 51.

[6] 1999 Annual Report of the United Nations Resident Coordinator in Armenia, p. 13.

[7] Migration Trends, p. 15.

[8] Project: Post-Conflict Rehabilitation of Bordering Territories, p. 4.

[9] Migration Trends, p. 31.

[10] Project: Post-Conflict Rehabilitation of Bordering Territories, p. 4.

[11] Migration Trends, p. 27.

[12] Ibid., pp. 28-29.

[13] Ibid., p. 29.

[14] Ibid, p. 11.

[15] Ibid.

[16] Project: Post-Conflict Rehabilitation of Bordering Territories.

[17] Op. cit.

GEORGIA
GEORGIA
RUSSIAN FEDERATION
ARMENIA
AZERBAIJAN
NAGORNO-KARABAKH
ISLAMIC REPUBLIC OF IRAN
(Azerbaijan)
NAXÇIVAN (AR)
Lake Sevan
Yerevan
Tashir
Allahverdi
Ashotsk
Stepanavan
Ijevan
Dilijan
Gyumri
Spitak
Vanadzor
Aparan
Hrazdan
Sevan
Karnut
Yevlax
Bärdä
Aragats
Ashtarak
Abovian
Kamo
Masis
Martuni
Vardenis
Artashat
Ararat
Yelpin
Djermouk
Aras (Araz)
Goris
Sisian
Dastakert
Ghapan
Julfa
Ordubad
Meghri
ARMENIA
International boundary
Autonomous oblast (AO) boundary
National capital
Autonomous republic (AR) and oblast (AO) centers
Town
Main Road
Road
Railroad
Airport
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